

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 19 2024 ★

LONG ISLAND OFFICE

HICKSVILLE WATER DISTRICT,

Plaintiff,

-against-

ALSY MANUFACTURING, INC., currently doing business as EMESS MANUFACTURING, INC.; LBA PROPERTIES, INC.; GSM 270-280 LLC; ICA 270-280; SAF 270-280 LLC; FED 270-280 LLC; OSRAM SYLVANIA PRODUCTS, INC., currently doing business as OSRAM SYLVANIA, INC.; GTE CORPORATION; GTE OPERATIONS SUPPORT INCORPORATED; AIR TECHNIQUES, INC.; VISHAY GSI, INC.; GSM 290 LLC; ICA 290 LLC; SAF 290 LLC; FED 290 LLC; OERLIKON METCO (US) INC.; 325 DUFFY OWNER LLC.; and CERRO WIRE LLC,

Defendants.

Case No. 2:23-cv-06336-GRB-RML

**STIPULATION AND ORDER
DISMISSING DEFENDANT, OERLKON
METCO AS SUCCESSOR IN INTEREST
TO SULZER METCO (US) INC.**

**ORDER DISMISSING DEFENDANT OERLKON METCO AS SUCCESSOR IN INTEREST TO
SULZER METCO (US) INC.**

This matter having come before the Court on Motion for the Dismissal of Defendant, OERLKON METCO AS SUCCESSOR IN INTEREST TO SULZER METCO (US) INC. (METCO), following a Settlement Agreement executed by Plaintiff, Hicksville Water District ("Plaintiff") and Defendant, METCO, and any response thereto, it is hereby ordered as follows:

1. All claims asserted by Plaintiff, and any crossclaims asserted, to be asserted, or deemed asserted against METCO by persons who are Defendants or Third-Party Defendants in this action, in connection with the claims asserted by Plaintiff for the alleged contamination of Plaintiff's water supply wells, are hereby dismissed with prejudice.
2. METCO shall have no right of contribution from other Defendants for any payments

made to Plaintiff as part of the settlement.

3. METCO is dismissed from this lawsuit.

STIPULATED AND AGREED BY:

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OERLKON METCO AS SUCCESSOR
IN INTEREST TO SULZER METCO
(US) INC.

SO ORDERED:

/s/Gary R. Brown

GARY R. BROWN
United States District Judge

Dated: 9/19/24